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 Applicants : Elizabeth Devine and Conor Ward
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The listing of the claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

Please amend claims 1-20 as follows:

1. (Previously and Currently Amended) A beverage food product for consumption at a temperature elevated above room temperature, the beverage food product comprising having a top layer comprising ~~including~~ less than 70% (w/w) water and an amount of at least one top thermoreversible setting agent sufficient to maintain the top layer in a gel phase at room temperature, ~~while~~ said amount of said at least one top thermoreversible setting agent permitting thermoreversion of said top layer to a liquid phase at said temperature elevated above room temperature; and

a base layer including at least one base thermoreversible setting agent in an amount sufficient to maintain the base layer in a gel phase at room temperature, said amount of said at least one base thermoreversible setting agent permitting thermoreversion of said base layer to a liquid phase at said temperature elevated above room temperature, with the proviso that wherein sodium caseinate is substantially absent from the top layer.

2. (Currently Amended) A beverage food product according to Claim 1, in which the top layer additionally comprises more than 15% (w/w) fat and at least one top emulsifier.

3. (Previously and Currently Amended) A beverage food product according to Claim 2, in which the top thermoreversible setting agent is selected from the group consisting of gelatine, agar, gellan gum, methyl celluloses, guar gum, at least one carrageenan, gum arabic, xanthan gum, locust bean gum and ~~or~~ mixtures thereof; and the top emulsifier is selected from the group consisting of mono-glycerides, di-glycerides, sucrose esters; and ~~or~~ mixtures thereof.

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4. (Previously and Currently Amended) A beverage food product according to Claim 3, in which the top layer contains 0.1 to 1.75% (w/w) of the at least one top thermoreversible setting agent, ~~selected from the group comprising gelatine, carrageenan or mixtures thereof.~~

5. (Previously and Currently Amended) A beverage food product according to Claim 1, in which ~~said~~ a base layer contains 0.1 to 3.5% (w/w) of said at least one base thermoreversible setting agent, the base thermoreversible setting agent being selected from the group consisting of gelatine, agar, gellan gum, methyl celluloses, guar gum, at least one carrageenan, gum arabic, xanthan gum, locust bean gum ~~and/or~~ mixtures thereto.

6. (Previously and Currently Amended) A beverage food product according to Claim 1, in which the top layer contains 40-65% (w/w) water.

7. (Previously and Currently Amended) A beverage food product according to Claim 1, in which the top layer contains 20-40% (w/w) fat.

8. (Currently Amended) A beverage food product according to Claim 5, in which the base layer contains at least one comestibly suitable alcohol.

9. (Previously and Currently Amended) A beverage food product according to Claim 1, in which the top layer contains at least one comestibly suitable alcohol.

10. (Previously and Currently Amended) A beverage food product according to Claim 8, in the form of a cream liqueur.

11. (Currently Amended) A cream liqueur food product for consumption at a temperature elevated above room temperature, the cream liqueur food product comprising: ~~having~~

a top layer having ~~comprising~~

(i) less than 70% (w/w) water;

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- (ii) more than 15% (w/w) fat;
- (iii) at least one top emulsifier; and
- (iv) at least one top thermoreversible setting agent,

the at least one top emulsifier and the at least one top thermoreversible setting agent being in an amount sufficient to maintain the top layer in a gel phase at room temperature, said amount of said at least one top emulsifier and said at least one top thermoreversible setting agent whilst permitting thermoreversion of said top layer to a liquid phase at said temperature elevated above room temperature; and

a base layer including at least one base thermoreversible setting agent in an amount sufficient to maintain the base layer in a gel phase at room temperature, said amount of said at least one base thermoreversible setting agent permitting thermoreversion of said base layer to a liquid phase at said temperature elevated above room temperature.

wherein with the proviso that the, or each, top emulsifier or top thermoreversible setting agent is not sodium caseinate.

12. (Previously Added and Currently Amended) A beverage food product according to Claim 3, in which the top layer contains 0.1 to 1.75% (w/w) of the least one thermoreversible setting agent selected from the group consisting of gelatine, kappa-carrageenan, iota-carrageenan, mixtures of kappa- and iota-carrageenan; and mixtures of one or both of kappa and iota-carrageenan with gelatine.

13. (Previously Added and Currently Amended) A beverage food product according to Claim 1, in which said base layer contains 0.1 to 3.5% (w/w) of said at least one base thermoreversible setting agent, the base thermoreversible setting agent being selected from the group consisting of gelatine, carrageenan and mixtures thereof.

14. (Previously Added and Currently Amended) A beverage food product according to Claim 1, in which said ~~a~~ base layer contains 0.1 to 3.5% (w/w) of said at least one base thermoreversible setting agent, the base thermoreversible setting agent being selected from the group consisting of

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gelatine, kappa-carrageenan, iota-carrageenan, mixtures of kappa- and iota- carrageenan and mixtures of one or both of kappa and iota- carrageenan with gelatine.

15. (Previously Added and Currently Amended) A beverage food product according to Claim 1, in which the top layer contains 40-50% (w/w) water.

16. (Previously Added and Currently Amended) A beverage food product according to Claim 2, in which the top layer contains 40-50% (w/w) water.

17. (Previously Added and Currently Amended) A beverage food product according to Claim 4, in which the top layer contains 20-40% (w/w) fat.

18. (Previously Added and Currently Amended) A beverage food product according to Claim 2, in which the top layer contains at least one comestibly suitable alcohol.

19. (Previously Added and Currently Amended) A beverage food product according to Claim 4, in which the top layer contains at least one comestibly suitable alcohol.

20. (Previously Added and Currently Amended) A beverage food product according to Claim 9, in the form of a cream liqueur.